



## CODE OF CONDUCT

### INTRODUCTION

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#### Overview

The NSW Institute of Sport (NSWIS) is the organisation charged with specific statutory responsibility for developing and assisting high performance NSW athletes and coaches.

Your role at NSWIS is an important one, helping Institute athletes to achieve success at state, national and international levels. As a valuable member of the team at NSWIS you need to understand the Institute's goals and the vital role that you play in making them a reality.

Your attitude and professionalism were important factors in your selection for employment. It is your continued responsibility to carry out all duties diligently, impartially and conscientiously, and to the best of your abilities.

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#### Institute Values

The success of the Institute can only be achieved by providing a high quality service. Therefore the Institute is guided by the following values in the provision of programs and services to elite sport in NSW:

##### **Performance-Based**

- Our operations will be oriented towards achieving national team representation and international performance standards and success with resources targeted according to performance and potential.

##### **Athlete-Centred, Coach-Driven**

- We will provide the highest quality sports programs through an athlete-centred, coach-driven culture in order to develop athletes to their maximum potential.

##### **Underpinning Sports Programs**

- Priority will be given to those sports that have effective underpinning or talent development programs.

##### **Commitment to Excellence**

- We will constantly strive to improve our performance through a commitment to excellence.
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## **INTRODUCTION**, Continued

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### **Teamwork**

- Our organisation will focus on teamwork in order to deliver integrated and high quality services to our sports programs and in our relationship with strategic partners.

### **Fairness and Equity**

- We will incorporate fairness and equity in our operations and decision-making.

### **Ethics**

- We will always promote the highest behaviour and ethical standards.

### **Innovation**

- Our operations will exhibit innovation by always seeking to improve procedures.

### **Responsibility and Accountability**

- We are committed to providing cost effective and resource efficient operations and will regularly monitor and review performance.

### **Prestigious Image**

- Our operations will result in a dynamic and respected public profile and prestigious image.



These values were developed in consultation with staff. You are expected to understand these values and how they affect your role.

The Code of Conduct has been developed to set out standards of professional behaviour expected of all staff, volunteers and anyone else who represents the Institute. It is essential that we all act in a way that supports the Institute's values and this Code is designed to assist you in clarifying your responsibilities in carrying out your work.

An important purpose of this Code is to foster a spirit of cooperation and collaboration amongst all staff that promotes equal treatment and contributes to the efficiency and effectiveness of the Institute. The Code seeks to promote the highest standards and commitment to fairness in carrying out our responsibilities.

You should not read this Code as a series of rules, but rather as a practical guide, based on a common sense approach, to help you make decisions in line with the Institute's values. It outlines the behaviour expected of all staff and challenges you to reflect on your behaviour. The emphasis is on taking personal responsibility for your actions and using the Code as a guide to assist you when you are faced with an unfamiliar or ambiguous situation.

You should familiarise yourself with this Code of Conduct so that it serves as the framework upon which your day-to-day duties are based.

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## CODE OF CONDUCT

### GENERAL PRINCIPLES

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#### **General Principles**

As a representative of the NSW Institute of Sport you should, at all times, be aware of:

- The Institute's values and your commitment to them.
  - The importance of your personal and professional behaviour.
  - The community's sensitivity to offensive language and conduct.
  - The potential for conflicts of interest to occur.
  - The risks in accepting gifts and benefits.
  - The need to be fair and have respect for all people.
  - The importance of ensuring effective and efficient use of public resources.
  - The need to respect the security and confidentiality of official information.
  - The appropriateness of public comment.
  - The conditions for accepting outside employment.
  - The appropriateness of political and community participation.
  - The importance of reporting behaviour that does not support the Institute's values.
  - The need to act at all times with the public interest in mind.
  - The importance of ensuring that an allocated uniform is always worn in a clean and neat manner, worn at appropriate times and replaced when required.
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## CODE OF CONDUCT

### PERSONAL AND PROFESSIONAL BEHAVIOUR

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#### Overview

We are employed by the NSW Institute of Sport with the primary objective of developing and assisting high performance sport in NSW. To maintain public confidence in the reputation and professionalism of the Institute, it is essential that we exhibit the highest ethical and professional standards in carrying out our duties.

The public has high expectations of Government Agencies and we must be seen to deliver these standards. The work of the Institute must be open to public scrutiny and be professional and fair.

You have a responsibility to carry out your duties diligently, impartially, conscientiously and to the best of your abilities.

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#### Your responsibilities

Rather than listing numerous examples of expected behaviour, a number of broad principles have been adopted. It is your responsibility to use personal judgment to ensure that your behaviour reflects these principles as well as the Institute's values. The principles are as follows:

1. Be professional in the manner in which you carry out duties and take personal pride in your work and presentation. The standard of your work and manner in which you conduct yourself should always reflect favourably on you as an individual, as well as on the Institute.
2. Be familiar with the Institute's values, as these should guide your behaviour. Ensure that your behaviour reflects and supports these at all times.
3. Maintain the integrity of the Institute by displaying the highest standards of honesty and avoiding any situation that could give rise to a conflict between your personal interest and public duty.
4. Follow all Government and Institute policies and procedures.
5. Take responsibility for the decisions you make and be prepared to account for your decisions and actions.

*If you are uncertain about the appropriateness of your behaviour or have a genuine conflict of personal interest, you should always seek guidance from your supervisor or from a higher level of management. They are there to support and help you*

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## CODE OF CONDUCT

### CONFLICTS OF INTEREST

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#### Overview

The community has a right to expect that, as employees of the Institute, we will perform our duties in a fair and unbiased way, in the public's best interests, and that self-interest or personal gain will not affect us.

It is your responsibility to be aware of the potential for conflicts of interest, to consider how others may perceive these and to know how to deal with them when they occur.

The following guidelines should be followed when presented with a conflict of interest.

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#### What is a conflict of interest?

A conflict of interest is any situation that allows your personal interests to interfere with the performance of your duties.

It is understood that you have interests that are personal to you, or someone close to you, and that sometimes these may conflict with your work responsibilities. Having these interests is not necessarily a problem; it is how they are dealt with that is important.

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#### Examples of conflicts of interest

Some examples of potential conflicts at the NSW Institute of Sport are given below, but this should not be regarded as an exhaustive list:

- Where close personal relationships may result in potential conflicts of interest. For example, if you are on a recruitment panel, allocating grants or funds, or involved with assessing tenders/suppliers and realise that you have a close relationship with one of the people involved.
  - You have a second job and realise that your ability to be impartial in your work with the NSW Institute of Sport is under threat.
  - You sit on a Board for an organisation or club and an issue comes up that may be in conflict with the values or policies of the Institute.
  - You are offered a gift or benefit from a supplier or customer. (See separate section on Acceptance of Gifts and Benefits)
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## CONFLICTS OF INTEREST, Continued

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### General Principles

You should use integrity, judgment and common sense when faced with a conflict of interest. Each instance should be looked at individually, taking into account the following guiding principles.

- If you encounter a situation where you feel a conflict of interest could arise, you must take action.
- If you encounter a situation where you feel that other people may believe there is a conflict of interest, you must also take action.

*The perception of a conflict of interest can be as damaging as an actual conflict because it undermines public confidence in our organisation and in you as an individual.*

- If you become aware of a potential conflict between your personal interest and/or views and your official duties, you must bring the matter to the attention of your supervisor. The most appropriate course of action can then be determined.

***As a general rule, it is always better to disclose a potential conflict to your supervisor. It is confidential and can do no harm, whereas a great deal of damage can be done if it is not disclosed.***

- A range of options is available for resolving a conflict depending on the significance of the situation. These options include:
  - Noting down the details of the disclosure, at a local level, and then taking no further action. This would be in cases where the potential for conflict is minimal or can be eliminated by disclosure or effective supervision.
  - Allowing you to have limited involvement in the problematic situation. For example, providing support to a tender process but not having any power to select the tender.
  - Completely removing yourself from the project. For example, removing yourself from a recruitment selection panel.
  - Giving up your personal interest. For example, standing down from a Board.

We are all responsible for maintaining the Institute's reputation and for providing the best service we can. ***Remember, IT'S UP TO YOU.***

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## CODE OF CONDUCT

### ACCEPTANCE OF GIFTS AND BENEFITS

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#### Overview

A reputation for professionalism can only be achieved if the community is confident that we are not influenced by gifts, benefits or other inducements.

There may be times when you are offered a gift in appreciation for your work. In the majority of cases such offers would be genuine expressions of gratitude and thanks. However you should think carefully before accepting a gift, and consider how accepting the gift could be perceived by others.

Following are some factors which should be considered in accepting a gift.

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#### General Principles

You should use integrity, judgment and common sense when offered any kind of gift or benefit.

You should never accept a gift or benefit if:

- You feel that it is being offered to you to influence the way you carry out your work or to compromise you in any way; or
- It could be perceived by other people as being offered to you as a way of influencing your performance or affecting any work-related decisions you may make.

*The perception of a compromise can be as damaging as an actual compromise, because it undermines public confidence in our organisation and in you as an individual.*

- Where there is no real (or perceived) conflict in accepting the gift or benefit, you may, in certain instances, accept a gift if it is essentially token, including moderate acts of hospitality.
  - Where you are uncertain whether or not to accept the gift you should discuss the matter with your supervisor, and determine the best course of action.
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## ACCEPTANCE OF GIFTS AND BENEFITS, Continued

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### **What to do when offered a gift**

1. You should first determine whether the gift is being offered as a way of influencing your performance or could be perceived as such.
  2. If you believe the gift is being offered to influence you in any way, you should not accept it, and should notify your supervisor that the gift was offered to you and by whom.
  3. If the gift is of a token nature and you do not believe it is being offered to compromise your performance in any way, you may accept the gift.
  4. If you are invited to a social event or trade function sponsored by a supplier, customer or business contact, you should use your judgment in determining whether or not your attendance at the function could compromise your position.
  5. If a sponsor offers you a gift or benefit you should also use your judgment in accepting the gift.
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### **'Token' gifts and moderate acts of hospitality**

You should use your own judgment, and the guiding principles above, when determining whether or not you should accept a gift. To help you with this, token gifts and moderate acts of hospitality could include:

- Promotional material such as pens and T-shirts;
- Small gifts such as diaries, chocolates, flowers and small amounts of beverages.
- Modest lunches offered to a working group of which you may be member.
- Gifts being offered as part of a formal exchange of gifts between two or more organisations. In such a case, the gift would usually be considered property of the Institute and should be declared to your supervisor.

*If you are uncertain whether or not you should accept a gift you should always refer the matter to your supervisor.*

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## CODE OF CONDUCT

### FAIRNESS

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#### Overview

One of the Institute's key values is fairness and equity. Our values are underpinned by equity principles, which guide the way we treat each other.

We need to take the lead in fairness in our business activities and in the way we deal with each other, and be seen by the community to do so.

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#### General Principles

Everyone likes to be treated fairly, with courtesy, consideration and dignity. Your personal feelings, bias or friendships should never influence your work behaviour.

To carry out your duties fairly, in line with the Institute's vision you should:

- Not discriminate against or harass any member of the public or employee for any reason whatsoever.
  - Deal with every situation consistently, promptly, fairly, without discrimination and with courtesy.
  - Be consistent in all areas, including providing services, dealing with people or making decisions. People must know that they will receive the same treatment regardless of their culture, background, disability, age, gender, sexual orientation, political beliefs, physical features or religion.
  - Be flexible in your dealings with the public and other staff and in your response to situations that require prompt action.
  - Ensure your conduct never results in people feeling threatened, uncomfortable or unable to cope in their work environment. This may include sexual advances or comments, racial or religious 'jokes' or slurs, or any other conduct that is intimidating or offensive.
  - Have a good understanding of relevant legislation such as EEO and the Charter of Principles for a Culturally Diverse Society, all of which affect how you should conduct yourself.
  - If possible, try to do something to stop unfair or discriminatory behaviour that you witness.
  - Report any unfair or discriminatory behaviour to your supervisor or other senior staff member.
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## CODE OF CONDUCT

### CHILD PROTECTION AND INTERVENTION

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#### Overview

Working in the area of elite sport, many of us may come into regular contact with children. It is essential that the community is confident that we are committed to the protection and safety of all children in our care.

We need to take the lead in child protection and intervention by providing a safe environment for all children and to recognise and report suspected child abuse and neglect.

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#### General Principles

All staff have a duty of care and should:

- Ensure children's safety, welfare and well-being are maintained.
  - Report any suspected cases of child abuse or neglect or cases where you believe a child is at risk of being abused or assaulted either to your supervisor or senior officer if it is in a work situation.
  - Be aware of how your own actions and behaviour may be perceived by others and ensure that your behaviour at all times is professional and is in no way threatening to children.
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## CODE OF CONDUCT

### USE OF PUBLIC RESOURCES

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#### Overview

Working for the Government and therefore utilising public funds, you have a special responsibility to ensure that all resources are used efficiently and economically.

It is essential that public resources are used properly, and must be taken into account any possible negative perceptions the public may have of our behaviour.

The following guidelines should be followed when using public resources.

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#### What are public resources?

Public resources are any items paid for by the Institute and include the following, but this should not be seen as an exhaustive list:

- Office equipment including computers, e-mail, phones, faxes, photocopiers, stores items, stationery, furniture, sporting equipment and so on.
  - Institute motor vehicles.
  - Budgets, travel expenses, petty cash and Cabcharge.
  - Your paid time at work.
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#### General Principles

You have a responsibility for ensuring that resources are used efficiently and economically without unnecessary extravagance or waste.

You have a responsibility to care for and maintain resources in your charge or for which you are accountable.

- For example: if equipment in your care needs servicing or special care, it is your responsibility to ensure this is done on a timely and efficient basis.

As a general rule, resources should only be used for work purposes and you should not use work time or work resources for private purposes. However, there are some reasonable exceptions to this rule.

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## USE OF PUBLIC RESOURCES, Continued

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It is recognised that you may need to contact someone during working hours. In recognition of balancing work and external commitments and unless otherwise directed, you may make telephone calls for private use, provided the use is essential and the calls are local, short, and infrequent and do not interfere with your work responsibilities.

You may use an Institute computer for private purposes provided it is in your own time and has been approved by your supervisor.

You may use general Institute equipment and facilities for private purposes provided it is not at the expense of public or client use, is in your own time and has the support of your supervisor.

If these privileges are abused they may be taken away.

***It is impossible to provide a definitive list of allowable or inappropriate private use of Institute equipment. If there is any doubt you should always seek your supervisor's advice.***

You should only use the Internet for work purposes. You should not use it to access sites and facilities that are not relevant to the work that you do.

Institute vehicles are not to be used for private purposes. In emergency circumstances an Institute vehicle may be used, subject to your supervisor's approval.

You should be aware that much equipment is shared by a number of different employees all with different priorities. You should ensure that your use of resources does not needlessly limit access by others and you should not assume that your work has priority simply because you are in a hurry or in a more senior position.

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## CODE OF CONDUCT

### USE OF CONFIDENTIAL INFORMATION

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#### Overview

Many of us, in the course of our work, have access to confidential information, for example, personnel records, financial records, funding recommendations and so on. We are granted access to this information only to enable us to do our work.

A reputation for integrity and credibility can only be achieved if the community is confident that we are able to keep information secure and utilise it for its required purpose.

The following guidelines should be followed when dealing with confidential information.

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#### General Principles

You should not disclose any confidential information gained whilst at work unless you have the approval of a senior manager or are required to do so by law.

As a general rule, if information is collected for a specific purpose, it should only be used for that purpose and should only be disclosed to people who need it for the same purpose.

You must never use confidential information for your own private gain.

You have a responsibility to ensure that confidential information in your care or for which you are accountable is kept secure and cannot be accessed by unauthorised people.

- For example: Confidential files such as recommendations for funding should be stored in a secure place and should never be left lying around.

If an organisation requests information it must prove the legitimacy of its inquiry and provide you with proof of identity.

If you are uncertain whether information is confidential or is public knowledge you should always treat it as confidential.

You must follow the above guidelines, even in emergency cases.

If you are uncertain whether or not to disclose information, you should discuss the matter with your supervisor.

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## CODE OF CONDUCT

### PUBLIC COMMENT

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#### Overview

Public comment includes public speaking, comments to the media or in letters to newspapers, and expressing views in books, journals or notices where it could be reasonably expected that the comments will spread to the community at large.

The following guidelines should be followed when making public comment.

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#### Public Comment - personal

As a community member you have a right to make public comment and enter into public debate on political and social issues. However, in all cases, you should make it clear that that the comment is your own personal view and that you are not making comment on behalf of the Institute.

There are however, some circumstances where you must not make public comment:

If it could be perceived by other people that you are expressing the view of the Institute.

If your views could be perceived by others as making you unable or unwilling to carry out your duties in line with the Government of the day.

If the public comment is defamatory.

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**Public  
Comment on  
behalf of the  
Institute**

There may be occasions where, as part of your position, you are required to make public comment on behalf of the Institute.

Prior to making any public comment you should ensure that you have the approval of the CEO, except in the case of coaches who do not require prior approval to discuss the progress results of their squads/athletes in the training and competition environment.

As a general rule, you should only disclose information that is normally given to members of the public seeking that information. The exception to this is where you have been authorised by the CEO to handle inquiries from the media or where you are required to do so by law, for example, as a witness in Court.

When speaking on behalf of the Institute you should have a good knowledge of the values, priorities and policies of the Institute and of the Government. Your comment should always be positive and supportive and enhance the image of the Institute.

Please refer to the Institute's:   Media & Public Comment Policy  
  Issues Management Guidelines

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## CODE OF CONDUCT

### OUTSIDE EMPLOYMENT

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#### Overview

The Community expects high levels of performance from us. It is important that the public are confident that we always give priority to our duties with the Institute and do not use Government time, resources or information to do work for another organisation.

To be able to deliver this we must treat our work with the NSW Institute of Sport as our main work priority.

When considering secondary employment the following should be considered.

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#### General Principles

If you wish to undertake outside employment you must first gain approval, in writing, from the Director. This covers paid or unpaid work and temporary or permanent staff.

You should consider the following if you are thinking about outside employment:

- Your employment at the Institute should take priority.
- You must avoid situations that give rise to, or could be seen to give rise to, a conflict of interest between your role with the Institute and the private interest.
- You must not use your position with the Institute to solicit work for a private enterprise.

As a general rule, provided the following conditions are met, you will be given permission to undertake outside employment where:

- There is no actual or perceived conflict of interest.
- The employment does not affect your ability to carry out your duties with the Institute.
- The outside employment is carried out in your own time using your own facilities and resources.

It is your responsibility to seek approval from the Director if you are considering undertaking outside employment. If you work without approval you could face disciplinary action.

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## CODE OF CONDUCT

### POLITICAL AND COMMUNITY PARTICIPATION

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#### Overview

We have a public duty to perform our duties in a fair and unbiased way and to provide a service that is impartial and serves the Government of the day in a politically neutral manner.

The Institute understands that you may have interests in political or community organisations, and that sometimes these may conflict with your work responsibilities. Having these interests is not necessarily a problem; it is how they are dealt with that is important.

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#### General Principles

The following guidelines should be followed in relation to political or community participation. As such, you should:

- Ensure that your participation in any political or community matter does not conflict, or could reasonably be perceived to conflict, with your professional responsibilities. This may include being a member of a political party, sitting on a Board of an organisation and so on.
- Be aware of the potential for a conflict of interest and ensure that political or community activities are kept quite separate from your employment with the Institute.
- Immediately notify your supervisor if you become aware that a potential conflict has arisen. The most appropriate course of action can then be determined.

***As a general rule, it is always better to disclose a potential conflict. It is confidential and can do no harm, whereas a great deal of damage can be done if it is not disclosed.***

Depending on the significance of the conflict, it may be most appropriate for you to stop participating in the activity or withdraw from areas of your duties giving rise to the conflict of interest.

We are all responsible for the Institute's reputation for integrity.  
***Remember, it's up to you.***

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## CODE OF CONDUCT

### REPORTING INAPPROPRIATE BEHAVIOUR

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#### Overview

The reputation of both the Institute and you as an individual depends on your personal conduct and willingness to act against inappropriate behaviour.

It is expected that you would report any instance of inappropriate behaviour committed by any other employee that you observe.

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#### General Principles

Inappropriate behaviour is any action that is inconsistent with the values of the Institute and the principles of behaviour as outlined in this Code.

Reporting inappropriate behaviour is encouraged, as the reputation of the Institute depends on us all being ethical and supporting the Institute's values.

To enhance the operations of the Institute, staff are encouraged to report suspected or corrupt conduct, maladministration, serious and substantial waste or unethical behaviour. This would include the following, but this should not be seen as an exhaustive list:

- Duties carried out dishonestly or unfairly.
  - Any action or behaviour that has a detrimental effect on our public duty.
  - Any breach of public trust.
  - Misusing information or material obtained in the course of your duties.
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#### Protected Disclosures Act

In its commitment to reduce corruption the Institute has a specific mechanism for reporting corrupt conduct under the Protected Disclosures Act 1994. The Protected Disclosures Act, 1994, provides you with protection from recrimination should you make a disclosure in good faith.

Protection is available for disclosures made under the Protected Disclosures Act for reporting corruption, maladministration or serious and substantial waste. Instances of less serious inappropriate behaviour, although not protected by this legislation, should also be reported. The Institute is committed to protecting all disclosures made in good faith by employees.

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## REPORTING INAPPROPRIATE BEHAVIOUR, Continued

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You should be familiar with the Institute's policy on disclosures which is summarised below:

For disclosures to be protected they must fall within the Protected Disclosures Act. If you are considering making a disclosure you should discuss the matter with one of the nominated disclosure staff, to determine whether the disclosure will be protected. Your supervisor will be able to provide you with information on the Protected Disclosures Act and Institute policy.

You will not be protected under this legislation if the disclosure is frivolous or petty, if it questions Government policy, or if it is made in an attempt to avoid dismissal or disciplinary action.

All disclosures will be treated as confidential as far as possible. Your identity will remain confidential unless it is necessary to disclose it to effectively investigate the matter.

You can also make Protected Disclosures directly to an external investigating authority, that is either the Independent Commission Against Corruption (ICAC), the NSW Auditor General or the NSW Ombudsman.

If you are concerned about conduct which may not amount to corruption but which you think is inappropriate, you should discuss the matter with the nominated disclosure officer or the Finance & Administration Manager.

A commitment exists to ensure that there are no recriminations against employees who report suspected corruption. If you do feel as if you are the subject of discrimination due to the disclosure you should report the matter to your supervisor, or the Manager – Finance & Administration as a matter of urgency.

If you supervise staff, you have a responsibility to be supportive of staff who make or intend to make a disclosure of corrupt conduct.

***Fraud and Corruption: DON'T IGNORE IT!  
REPORT IT!***

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## CODE OF CONDUCT

### CONCLUSION

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#### Overview

It is essential that you take the time to understand this Code of Conduct and how it impacts on your day-to-day duties. It is your responsibility to ensure you are working in a manner consistent with this Code and in a way that supports the Institute's values.

It is intended to be a practical and useful document, which will help you to resolve some of the many dilemmas that might confront you in your employment with the NSW Institute of Sport. It will be reviewed and monitored on an ongoing basis to take account of new or changed circumstances.

The Institute also has specific policies which deal, in more detail, with some of the matters covered by the Code, for example, EEO Policy, Waste Reduction Policy, Use of Cabcharge Policy and so on.

Whilst the emphasis is on taking personal responsibility for your actions and using the Code as a guide to assist you when you are faced with an unfamiliar or ambiguous situation, your supervisor is also there to guide and support you.

If you are unsure about any aspects of this Code of Conduct, or require further information, please speak to your supervisor or the Business Manager.

#### Relevant legislation

The main legislation that applies to State government employees is the Public Sector Management Act 1998 and, if employed in a statutory authority, the Act that established their agency. The following legislation may also be relevant:

- Anti-Discrimination Act 1977
  - Crimes Act 1990
  - Freedom of Information Act 1989
  - Independent Commission Against Corruption Act 1988
  - Industrial Relations Act 1996
  - Ombudsman Act 1974
  - Protected Disclosures Act 1994; and
  - Public Finance and Audit Act 1983
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